

By: Representative Massengill

To: Education;
Appropriations A

HOUSE BILL NO. 639

1 AN ACT TO REQUIRE FUNDING FOR SPECIAL EDUCATION TO BE
2 APPROPRIATED TO THE STATE BOARD OF EDUCATION AS A SEPARATE LINE
3 ITEM IN THE K-12 EDUCATION GENERAL SUPPORT APPROPRIATIONS BILL; TO
4 PRESCRIBE A FORMULA FOR DETERMINING ALLOCATIONS OF SPECIAL
5 EDUCATION FUNDS TO THE LOCAL SCHOOL DISTRICTS; TO REQUIRE
6 DISTRICTS TO PLACE SPECIAL EDUCATION FUNDS RECEIVED IN A SEPARATE
7 ACCOUNT TO BE ADMINISTERED BY THE PROPER DISTRICT PERSONNEL
8 RESPONSIBLE FOR DIRECTING OR COORDINATING SPECIAL EDUCATION
9 SERVICES; AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Beginning with the appropriation for fiscal year
12 2026, funding for the special education program required under
13 Chapter 23, Title 37, Mississippi Code of 1972, shall be
14 appropriated to the State Board of Education as a separate line
15 item in the K-12 education general support appropriations bill.
16 The State Board of Education shall allocate the special education
17 funding to each school district as follows:

18 (a) For each teacher employed by a school district in a
19 program for exceptional children, as defined in Section 27-23-3,
20 which is approved by the State Department of Education, an amount
21 equal to one hundred percent (100%) of the adequate education



22 program salary schedule prescribed in Section 37-19-7, based on
23 the type of license and number of years' teaching experience held
24 by each approved special education teacher, plus an amount equal
25 to one hundred percent (100%) of the applicable employer's rate
26 for social security and contributions to the state retirement
27 system.

28 (b) Funds appropriated for the special education
29 program shall be allocated to each school district as prescribed
30 under paragraph (a) and the estimated number of new teacher units
31 requested by the district and approved by the State Department of
32 Education for instruction and related support services provided to
33 exceptional children based on each eligible child's Individualized
34 Education Plan (IEP). Once received by the district, the funds
35 shall be deposited into an account separate from the general state
36 aid funds received by the district under the adequate education
37 program. The fund shall be administered by the district special
38 education director or coordinator, or if there is no such position
39 within the district, then by the superintendent of schools, or his
40 or her appointed designee, and shall be used for purposes
41 specified under this section and other applicable provisions of
42 law providing for the instruction, services, equipment, necessary
43 accommodations and support of exceptional children as required
44 under IDEA and Chapter 23, Title 37, Mississippi Code of 1972.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2025.

